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U.S. COURT OF APPEALS  
FOR THE D.C. CIRCUIT  
2017 DEC -8 PM 4: 52  
FILING DEPOSITORY

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

STATE OF WEST VIRGINIA,

Petitioner,

v.

DRUG ENFORCEMENT ADMINISTRATION  
and ROBERT W. PATTERSON, in his  
official capacity as Acting Administrator  
of the Drug Enforcement Administration,

Respondents.

Case No. 17-1256

ORIGINAL

**PETITION FOR REVIEW**

The State of West Virginia petitions this Court pursuant to Rule 15(a) of the Federal Rules of Appellate Procedure, Section 507 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. § 877, and 5 U.S.C. § 702, for review of the final action of the Drug Enforcement Administration published in the Federal Register at 82 Fed. Reg. 51,873 (Nov. 8, 2017), styled *Established Aggregate Production Quotas for Schedule I and II Controlled Substances and Assessment of Annual Needs for the List I Chemicals Ephedrine, Pseudoephedrine, and Phenylpropanolamine for 2018*. This Court has jurisdiction, and is a proper venue for this action, under 21 U.S.C. § 877.

Dated: December 8, 2017

Respectfully submitted,



Patrick Morrisey

ATTORNEY GENERAL OF

WEST VIRGINIA

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*Counsel for Petitioner*

*State of West Virginia*

**CERTIFICATE OF SERVICE**

I hereby certify that I will cause to be served true copies of this Petition for Review via U.S. mail on December 8, 2017, including copies in quintuplicate for the Acting Administrator of the Drug Enforcement Administration as provided by 21 C.F.R. § 1316.68, upon the following:

Hon. Robert W. Patterson  
Acting Administrator  
Drug Enforcement Administration  
8701 Morrissette Drive  
Springfield, VA 22152

Hon. Jefferson Beauregard Sessions III  
Attorney General of the United States  
United States Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530



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West Virginia*